
CITY COUNCIL MEETING

MONDAY, JUNE 22, 2009

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Philip Keevil from the First Presbyterian Church.

All present pledged to the flag.

ATTENDANCE

Council President Vaughn Spencer
Councilor Steve Fuhs, District 1
Councilor Marcia Goodman-Hinnershitz, District 2
Councilor Dennis Sterner, District 3
Councilor Stratton Marmarou, District 4
Councilor Maria Baez, District 5
Councilor Jeffrey Waltman, District 6
Legal Specialist, T. Butler
City Auditor, D. Cituk
Managing Director, R. Hottenstein
City Clerk, L. Kelleher
Sergeant at Arms, Capt. R. Schaeffer

PROCLAMATIONS AND PRESENTATIONS

Mayoral Proclamations

- Recognizing Mike Reese and Christine Wheelen for their fundraising efforts for the United Way of Berks County

Council Commendations

- Recognizing Pastor Joe Sclafani, City Light Ministry for his efforts with the youth of the City of Reading

PUBLIC COMMENT

Council President Spencer announced that three (3) citizens were registered to address Council on agenda issues and one (1) citizen was registered to address Council on non-agenda issues. He inquired if Council objected to suspending the rule requiring comment on non-agenda matters at the conclusion of the

meeting. No one objected, therefore, the rule requiring non-agenda comment at the conclusion of the meeting was suspended. Council President Spencer reminded the citizens registered to speak about the remaining public speaking rules.

Ron Stouffer, Mount Penn, stated that many local and state elected officials support the Senate bill for family healthcare, which provides a 50% reduction in the healthcare costs. He expressed belief that Council's support of the resolution on tonight's agenda will inspire the state legislators to move forward in the adoption of House Bill 1660 and Senate Bill 400. He described the parameters of the proposed plan.

Rosie Skomitz, Mount Penn, spoke in support of single pay family healthcare, as it will improve healthcare services while reducing the cost to users, businesses, and employers. She expressed the belief that the proposed bill will solve the mini woes of the current healthcare system.

Mike Morrill, West Reading, stated that he is a member of the West Reading Borough Council who approved a resolution supporting the single pay healthcare plan last week. He noted that many nations are already ahead of the United States in providing some type of organized healthcare to its citizens. He expressed the belief that healthcare has turned into a profit driven business. He stated that estimates show that healthcare costs will grow beyond the rate of the salary expense for businesses in the future.

Richard Palsgrove, expressed the belief that the Luden's, (Hershey) Building, located at 8th and Walnut Street should be turned into a casino. He expressed the belief that the use of this building as a casino would solve the City's financial problems. He noted the proximity to the Sovereign Center and the proposed hotel and noted that a casino in this location could provide a new revenue stream for the City.

AGENDA & MINUTES

Councilor President Spencer called Council's attention to the agenda for this meeting and the minutes from the May 26th regular meeting of Council. He noted that there's no legislation listed under the Consent Agenda heading for this meeting. He asked Council to consider adding a resolution to tonight's agenda which would authorize the appeal of the zoning decision for 505 Penn St.

Councilor Baez moved, seconded by Councilor Waltman to approve the agenda as amended and approve the minutes from the May 26th regular meeting of Council. The motion was approved unanimously.

ADMINISTRATIVE REPORT

Managing Director R. Hottenstein read the Administrative Report provided to Council at the meeting covering the following:

- Centre Park events
- Reading Public Library Summer Reading Program
- PEL press conference
- Update on various issues brought to the Administration's attention by Council at the weekly Mayor's meeting

Councilor Goodman-Hinnershitz thanked Mr. Hottenstein for the update.

Councilor Waltman noted that the majority of the complaints brought forward by Council are done in a variety of ways. He states that not all councilors have the opportunity to attend the Mayor's meeting. He also noted the irony of holding the PEL five city report press conference at the Marriott.

AUDITOR'S REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following topics:

- Update on the collection of admissions tax 2005-2009
- Update on the collection of the transfer tax 2005-2009
- Update on the 2010 Budget Summit

REPORT FROM BOARDS, AUTHORITIES & COMMISSIONS

Stadium Commission chairman, Steve Harrity and secretary, Greg Geiger, referred Council to the report distributed prior to the meeting. Mr. Harrity noted Council recently appointed the first female member to the Stadium Commission. He stated the Stadium Commission holds approximately eight (8) meetings a year. He explained that the Stadium Commission does not meet during the summer months due to the Reading Phillies baseball schedule. Some of the activities of the Stadium Commission include:

- Distribution of 300 tickets to City children
- Representation of Reading at Baseballtown Banquet
- Labor Day Parade
- Holding three (3) Commissioner Nights during the 2009 baseball season to promote the Reading Phillies and the City of Reading.

ORDINANCES FOR FINAL PASSAGE

Bill No. 31-2009 – increasing the fees in Engineering (Curb Permit, Building Line Survey, Street Cut Permit, Street Restoration, Driveway Permit and restoration, Sidewalk Occupancy, Vault and Repair Permit, Pole Permit), and Traffic Engineering (Banner Installation and Removal) (**Managing Director**) *introduced at the June 8 regular meeting*

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 31-2009.

Managing Director Hottenstein stated that this is the first in a series of fee

increases based on the Maximus fee study. He expressed belief that these engineering programs should not be subsidized by the tax payers.

Bill No. 31-2009 was enacted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President - 7.**
Nay: None – 0

Bill No. 32-2009 – amending the Capital Improvement Program to provide for the extension of River Road and improvements to Kerper's Landing. **(Public Works) introduced at the June 8 regular meeting**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to enact Bill No. 32-2009.

Councilor Waltman, in reference to the extension of River Road, noted the recent article in the Reading Eagle citing the Berkshire Bottling Plant as the anchor for the Dana area is incorrect as this project has not been completed since this application was approved by the Planning Commission over four (4) years ago. He expressed the belief that River Road should have been extended prior to the plans approval. He stated that there other City transportation needs of equal or higher importance. He stated that he would rather see this money going towards the purchase of the Hillside Pool.

Councilor Goodman-Hinnershitz expressed her belief in the need to provide this roadway as a long-term investment in the potential development of this area. She agreed that spending \$2 million dollars for a study of River Road's extension is shocking but it will provide the City with what it needs to move the project forward.

Councilor Sterner expressed the belief that the extension of River Road could stimulate development in this area.

Councilor President Spencer stated that he supports the amendment to fund improvements to Kerper's Landing but noted his agreement with the concerns expressed by Councilor Waltman concerning the extension of River Road. He expressed the belief that amendments to the capital improvement program should be submitted separately rather than as a package.

Bill No. 32-2009 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, - 5
Nay: Waltman, Spencer, President – 2

Bill No. 27-2009 – amending Section 6 Prohibited Behaviors of the Code of

Ethics by adding a provision regarding Fraudulent Behavior and amending the provisions regarding Use of City Property and Personnel and Political Activities **(Board of Ethics)** *introduced at the May 11 regular meeting; tabled at the May 27 regular meeting; discussed at the June 22 Committee of the Whole*

Councilor Marmarou moved, seconded by Councilor Baez, to enact Bill No. 27-2009.

Council President Spencer stated that this amendment covering fraudulent behavior of City officials was requested by the City's external auditor.

Bill No. 27-2009 was enacted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President - 7
Nay: None – 0**

Bill No 33-2009 - amending the City of Reading Zoning Ordinance per Exhibit "A" to create a new zoning district to be known as Municipal Use (MU) Zoning District and the uses allowed therein as well as the requirements for such uses and amending the City of Reading Zoning Map to reflect the addition of a new zoning district as described in and per the map attached as Exhibit "B" **(Law)** *Introduced at the April 27 regular meeting; Public Hearing held on June 3 at 5 pm in Council Chambers*

Councilor Fuhs moved, seconded by Councilor Baez, to enact Bill No. 33-2009.

Council President Spencer stated that this amendment will allow municipal uses, such as, the police firing range, the recycling center, etc. in the area known as Fritz Island.

Bill No. 33-2009 was enacted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President - 7
Nay: None – 0**

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinances into the record.

Ordinance - amending the Code of Ordinances of the City of Reading, Berks County, Pennsylvania, Fee Schedule, Administrative Fees, Fire Department Fees **(Man Dir)**

RESOLUTIONS

Resolution 77-2009 Authorizing the appeal of the Zoning Hearing Board decision on 505 Penn Street.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution 77-2009.

Resolution 77-2009 was adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President - 7
Nay: None – 0**

Resolution 78-2009 Authorizing City Council support of the National Health Insurance Act of 2009, as proposed by H.R. 676, and the Family and Business Health Security Act, as proposed by H.B. 1660 and S.B. 400 (**Spencer**)

Council President Spencer stated that this Resolution supports House Bill 1660 and Senate Bill 400 regarding single pay healthcare for the Commonwealth of Pennsylvania. He stated several advocacy groups are requesting local government to support this and similar resolutions as they believe this type of support will encourage the state's legislators to approve a state bill that will provide this healthcare system for Pennsylvanians.

Councilor Fuhs expressed the belief that citizens can endorse state legislation individually without having to involve local government. He expressed the belief that City Council should be focusing only on local issues. He also stated City Council has not heard both sides of this issue. He noted that he received an inappropriate response to a question on the proposed resolution via email by one of the citizens advocating adoption of the resolution. He described his efforts to research this issue which was used to base his questions and position on the proposed resolution.

Councilor Fuhs expressed the belief that the six (6) Democratic City Councilors work to walk in lock step with the Democratic Party is insulting. He stated that while he agrees with the need for healthcare reform he will not support this resolution as he does not believe it should be considered by local government.

Councilor Goodman-Hinnershitz expressed her belief in the need for Council from time to time to converse with local, state, and federal elected officials about issues. She expressed the belief that Council support only advocates the correction of a broken, profit-driven healthcare system that is extremely costly for all employers and employees. She expressed her belief in the need for City Council to reflect on state and national issues.

Councilor Sterner also agreed with the need for healthcare system reform. He expressed the belief that this issue is based on the position of a small group of individuals and noted the need for more information and the data on this subject.

Councilor Waltman noted that good points were made on both sides. He expressed the belief that the healthcare reform issue is complex and not black and white. He noted the various systemic issues that have created problems with the current healthcare program and noted that this catch all proposal is not an A to Z answer.

Resolution 78-2009 was not adopted by the following vote:

Yea: Baez, Goodman-Hinnershitz, Spencer, President - 3
Nay: Fuhs, Marmarou, Sterner, Waltman – 4

Resolution 79-2009– endorsing Buy American (Spencer)

Councilor Waltman stated that he is not prepared to vote on this Resolution. He expressed his belief on buying and selling American. He expressed the belief that this resolution will support good global economy with fair application.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Sterner, to table Resolution 79-2009.

The motion to table Resolution 79-2009 was not adopted by the following vote:

Yea: Baez, Goodman-Hinnershitz, Sterner - 3
Nay: Fuhs, Marmarou, Waltman, Spencer, President – 4

Councilor Fuhs noted the good spirit of debate which occurred in the Committee of the Whole Session held before this session. He agreed with Councilor Waltman's statement on the global economy and announced that he will not support the proposed resolution.

Councilor Goodman-Hinnershitz stated that the motion to table was brought forward due to the request from some councilors for the need for additional debate and discussion. She expressed the belief that stimulus money should support local labor and products.

Councilor Sterner stated that he will support this resolution to encourage the use of stimulus to support American economy.

Councilor Baez stated that she will also support this resolution as she believes stimulus money should support the American economy.

Councilor Waltman agreed that stimulus money should support the American

economy and US citizens; however he expressed the belief for broader discussion on this issue.

Council President Spencer noted that stimulus money falls outside the regular allocations made by the federal government. The stimulus money is to be used specifically to support the American economy.

Resolution 79-2009 was adopted by the following vote:

**Yea: Baez, Goodman-Hinnershitz, Marmarou, Sterner, Spencer,
President - 5**

Nay: Fuhs, Waltman – 2

Resolution 80–2009 appointing Tadd Casner to the Historical Architectural Review Board (**Admin Oversight**)

Resolution 81–2009 appointing Theodore Auman to the Redevelopment Authority (**Admin Oversight**)

Resolution 82–2009 reappointing Marcia Schmehl to the Disruptive Conduct Review Board (**Admin Oversight**)

Resolution 83–2009 reappointing Barry Lloyd to the Charter Board (**Admin Oversight**)

Resolution 84–2009 reappointing Christopher Fegley to the Minority Business Procurement Board (**Admin Oversight**)

The Administrative Oversight moved to adopt Resolution 80-2009 – 84-2009, which make appointments and reappointments to the City’s Boards and Authorities.

Councilor Marmarou and Goodman-Hinnershitz noted the skill and ability of those being appointed and reappointed this evening.

Resolution 80-2009 – 84-2009 was adopted by the following vote:

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Waltman, Spencer, President - 7**

Nay: None – 0

COUNCIL COMMENT

Councilor Sterner congratulated those honored with Proclamations and Commendations this evening. He agreed with the suggestion of gambling at the Luden’s building, but noted that there are a limited number of gambling licenses

available in Pennsylvania.

Councilor Goodman-Hinnershitz thanked Mr. Palsgrove for providing a creative approach to the City's financial difficulties. In regards to the upcoming 4th of July holiday, she reminded all Reading citizens the use of fireworks is illegal in the City of Reading. She also announced the upcoming Crime Watch meetings in District 2.

Councilor Waltman congratulated the Centre Park Historic District for their continued community projects and programs.

Councilor Waltman again noted the need for reform of the current healthcare system after further studies.

Council President Spencer stated that Our City Reading has attempted to get stimulus funding for the Double Tree Hotel located across from the Sovereign Center.

Council President Spencer noted the need to get the Minority Procurement Board up and running.

Councilor Marmarou moved, seconded by Councilor Fuhs, to adjourn the regular meeting of Council.

Linda Kelleher CMC, City Clerk